United States District Court

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NORTHERN DISTRICT OF CALIFORNIA RICHARD W. WIEKING CLERK, U.S. DISTRICT COURT

	NOR	THERN DIST	STRICT COURT
LINUTED STATES OF AMERICA	NORTHERN DISTRICT OF CALIFORNIA Venue: San Francisco		ICT OF CALIFORNIA
UNITED STATES OF AMERICA			R>
V. ORIGINAL	CRIMINAL CO	MPLAIN	TI
HONG WEIYAN (a/k/a ANG WEE YEN)	CASE NUMBER:	3 0 8	8 70826
I, the undersigned complainant being duly sworn, state the knowledge and belief. On or about <u>June 2, 2008</u> in <u>Sa</u> <u>California</u> the defendant did,			
OFFENSE: WEIYAN encouraged and induced an alien to knowing and in reckless disregard of the fact that such comin violation of Title8 United States Code, Section(s)	ning to, entry, and resi	dence was	
I further state that I am an Enforcement Officer and the Official Title	nat this complaint is ba	used on the	following facts:
SEE ATTACHED AFFIDAVIT IN SU	PPORT OF THIS C	OMPLAI	NT
PENALTIES: Imprisonment no longer than 10 year A fine not to exceed \$250,000.00; A special assessment of \$100.00; an Supervised release no longer than the	d		
APPROVED AS TO FORM: ASSISTANT UNITED STATES A	TTORNEY	_	
Continued on the attached sheet and made a part hereof:	☑ Yes □ No		
Warrant of Arrest Requested: ⊠ Yes □ No Bail Amount: NO BAIL	/Signature of Co	omplainant	
Sworn to before me and subscribed in my presence,	V		
5 June 08 at San F	<u>Francisco, Californ</u> City and State	i <u>a</u>	
Honorable Bernard Zimmerman ///	$\Lambda(1)$		

Name & Title of Judicial Officer

United States Magistrate Judge

Signature of Judicial Office

STATE AND NORTHERN DISTRICT OF CALIFORNIA)
) ss, AFFIDAVIT
CITY AND COUNTY OF SAN FRANCISCO)

I, Marciano T. Hinagpis, Jr., Enforcement Officer, U.S. Customs and Border Protection ("CBP"), being duly sworn, depose and state:

I. INTRODUCTION AND PURPOSE OF AFFIDAVIT

1. This affidavit is submitted in support of a criminal complaint against HONG WEIYAN (a/k/a ANG WEE YEN) for violating 8 U.S.C. § 1324(a)(1)(A)(iv). The facts set forth in this Affidavit are based on my personal knowledge and observations, interviews conducted during this investigation, my training and experience, and information related to me by other law enforcement officials. However, the facts set forth in this Affidavit are not all facts related to WEIYAN that I know.

II. AGENT'S BACKGROUND AND EXPERTISE

2. I am an Officer with the United States Department of Homeland Security, Customs and Border Protection ("CBP"). I have a bachelor's degree from the University of De La Salle and am a graduate of the Federal Law Enforcement Training Center's Immigration Officer Basic Training Course program. I have been employed with CBP since July 27, 2003, and have received and receive on an ongoing basis, training in the laws, rules and regulations concerning passports, visas, and citizenship documents. My duties include the investigation and prosecution of violations of the Immigration and Nationality Act and related criminal immigration statutes. I have received training and experience in forensic document analysis and fingerprint analysis both from the Federal Law Enforcement Training Center in Glynco, Georgia, and from CBP training conducted locally at San Francisco International Airport ("SFO"). I am familiar with the provisions of criminal immigration statutes, including 8 U.S.C. § 1324.

III. APPLICABLE LAW

3. Title 8 U.S.C. § 1324(a)(1)(A)(iv) provides criminal penalties for any person who "encourages or induces an alien to come to, enter, or reside in the United States, knowing or in reckless disregard of the fact that such coming to, entry, or residence is or will be in violation of law."

IV. FACTS ESTABLISHING PROBABLE CAUSE

4. At approximately 10:50 a.m. on June 2, 2008, HONG WEIYAN a.k.a. ANG WEE YEN ("WEIYAN"), a 27 year old female, arrived at SFO on Japan Airlines flight number JL-002 from Narita Airport in Tokyo, Japan. WEIYAN presented a Singaporean passport (Number E0562526J) and a Singaporean identity card (Number S8019805A) to inspectors for admission

into the United States. WEIYAN also presented an Arrival/Departure Form I-94W (Number 65898017212) and a Customs Declaration Form 6059B to CBP Officer Jeffrey Anderson.

- 5. During WEIYAN'S immigration inspection at SFO, I read WEIYAN her *Miranda* rights in English, which WEIYAN speaks. WEIYAN waived her *Miranda* rights. I then interviewed WEIYAN. CBP Enforcement Officer Eduardo Reveles witnessed the interview, during which WEIYAN stated the following:
- a. WEIYAN met a man named "Mike" in a pub in Singapore during the Chinese New Year celebration in February 2007.
- b. In October 2007, "Mike" offered WEIYAN a job to bring him, from Singapore to Japan, airline boarding passes for travel between Narita Airport and Los Angeles International Airport ("LAX"). In exchange, "Mike" offered to pay WEIYAN \$1,000 Singaporean. In December 2007, WEIYAN traveled from Singapore to Narita airport in Tokyo, Japan, and met "Mike" at a restaurant inside the airport. WEIYAN handed "Mike" three airline boarding passes while inside the restaurant. That same day, WEIYAN continued her trip from Japan to LAX. WEIYAN traveled with three female Chinese citizens on her flight to LAX. WEIYAN returned to Singapore three days after she landed at LAX. "Mike" paid her \$1,000 Singaporean in cash for the trip.
- c. On June 2, 2008, WEIYAN met two Singaporean women inside a restroom at Changi airport in Singapore. The two women gave WEIYAN two airline boarding passes in the names of TOH HWEE LING and GOH XIAO WEI. Later that day, WEIYAN flew from Singapore to Narita Airport, and brought the boarding passes with her. At Narita Airport, WEIYAN met "Mike" again, and gave him the two boarding passes she received from the two females in the restroom in Changi airport in Singapore. When WEIYAN met "Mike" at the restaurant in Narita airport, two female Chinese citizens were seated next to him.
- d. On June 2, 2008, WEIYAN identified the two female Chinese citizens she saw inside the restaurant in Narita airport with "Mike" as two women in a CBP inspection area at SFO. The two female Chinese citizens presented the fraudulent Singaporean passports under the names TOH HWEE LING and GOH XIAO WEI. These are the same names WEIYAN saw on the airline boarding passes handed to her by the 2 females inside the restroom at Changi airport in Singapore which she then handed to "Mike" inside the restaurant in Narita airport in Japan.
- 6. After the interview described in 5(a)-(d), WEIYAN was placed under oath, sworn, and administratively interviewed by Officer Reveles in English and stated the following:
- a. WEIYAN knowingly facilitated the entry of three aliens into the United States by illegal means in December 2007, and two additional aliens by illegal means on June 2, 2008.
- b. WEIYAN received \$1,000 Singaporean from "Mike" for facilitating the entry of the three aliens in December 2007.

- "Mike" promised to give WEIYAN \$1,000 Singaporean for facilitating the entry of the two aliens on June 2, 2008 by handing him the airline boarding passes at Narita airport. WEIYAN would have received the money upon her return to Singapore.
- WEIYAN acknowledged what she was doing was illegal, but did it anyway d. because she has a low paying job in Singapore.

V. CONCLUSION

On the basis of the above information, I submit that probable cause exists to believe that HONG WEIYAN a.k.a. ANG WEE YEN encouraged and induced an alien to enter the United States knowing that such entry was in violation of law.

Marciano T. Hinagplis, Jr.

Enforcement Officer

U.S. Customs and Border Protection

U.S. Department of Homeland Security

San Francisco, California

Subscribed and sworn to before me this

day of June, 2008.

The Honorable Bernard Zimmerman

United States Magistrate Judge

Northern District of California

San Francisco, California